

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, December 15, 2010, at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Yolanda Adrean, Chair Stefan Jaskulak, Deputy CFO
 Councilmember Felicia A. Moore Departmental Staff
 Councilmember C.T. Martin
 Councilmember Alex Wan
 Councilmember Howard Shook
 Councilmember H. Lamar Willis

Absent: Councilmember Aaron Watson

Chairperson Adrean called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, C. T. Martin, Alex Wan, Howard Shook and H. Lamar Willis. Other Departmental staff was present as well.

The Agenda and Addendum Agenda were adopted as printed. The minutes of the Finance/Executive Committee of December 1, 2010 were adopted as well.

DISCUSSION ITEMS

FIRST QUARTER FINANCIAL REPORT, JOYA C. DE FOOR, CFO

Deputy CFO Jaskulak stated that Ms. Carol King will handle questions for the First Quarter and Mr. Gary Donaldson will do the Revenue updates.

Ms. Carol King: Chief of the Office of Budget and Fiscal Policy addressed the Committee by stating that Council should have received an appendix update. The second handout is for October results. It has the details for the General Fund. October Budget Expenditures are \$186,507,503, Actuals are \$152,556,432 for a Variance of \$73,249,005. Chairperson Adrean stated that we have personnel positions that have not been filled. What should we expect? Ms. King responded that the Police Department has a number of vacancies, but they are filled on a quarterly basis (25 per quarter). The Department of Parks, Recreation and Cultural Affairs has vacancies as well. Chairperson Adrean stated that in January the Step increase will come into place. Do you anticipate the Police Department's budget to be over? Ms. King responded that we included the increases in the projections. The projections for Police have a variance of \$400,000 under budget. Chairperson Adrean asked what happens to the \$400,000. The Step increase was \$1 million or so.

Mr. Peter Aman: Mayor's Office Chief Operating Officer addressed the Committee by stating that the projections took into account through year end and it accounted for the Step increases. We should still be under budget by \$400,000. Councilmember Moore asked for the overview of expenses. Chairperson Adrean asked what are you seeing in trends or at-risks? Ms. King responded that based on the October results there are no significant changes. Councilmember Moore asked when is the next report? Ms. King responded that the November results will be available after the New Year. Councilmember Moore asked for clarification of the Recreational Centers. Ms. King responded that we tried to capture the questions and answered them in the Appendices. Councilmember Moore stated that the answers refer to the questions and does not answer them. She wants at least one of them answered on air. Under Parks, there are 62 vacant positions to staff 16 Centers. The draft shows less has been opened than what was told. It includes repairs and computer costs. An Additional 8 will be opened by the 2011 calendar year. The information is not consistent.

Mr. George Dusenbury: Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that at the beginning there were 17 Centers opened. Each position was encumbered for the entire year. We have 33 total Centers. In August, we opened 6 more and it totaled 23. In September, we opened

another 3 for 26 and two more in November for a total of 28. Councilmember Moore stated that the 3.7 million dollars was to get the Centers on line as well as the positions. Are there programs and staff available? Commissioner Dusenbury responded that they have staffed the Centers. All of the positions were not just for the Centers. We have not hired all of the people for the Centers yet. We have around 40 vacancies. Councilmember Moore asked if you are taking the money from vacant positions and using it for computers. Commissioner Dusenbury responded, yes. We did not have any money for all of the computers and information technology equipment. We reallocated \$200,000 for it. Councilmember Moore asked why was it not anticipated when we did the budget. Commissioner Dusenbury responded that we missed a few things. Councilmember Moore asked what is the value of the 40 positions? She is seeing this as a budget strategy all of the time. Commissioner Dusenbury responded that in January it all should be taken care of. They want us to have a surplus at the end of the year. Councilmember Moore stated that it becomes money that can be used for another purpose. She wants to know what is left. Commissioner Dusenbury responded that information technology is a one-time expense. We did an analysis for the first quarter. We do not anticipate transferring any more funds for any other purpose. Chairperson Adrean asked about the private fund raising. How are they accounted for? Commissioner Dusenbury responded that we created a Trust Fund about a month ago. We created a Fund for a Non-Profits Community Foundation Account. We get monthly reports. The balance is around \$250,000. We will be hiring a Program Manager that will not be a City employee. Councilmember Willis asked how much has the Center fees gone up? Commissioner Dusenbury responded that there is a fee paper. We will address the fees in January. Councilmember Willis stated that he has heard concerns from parents. Are we helping those who can't afford it? Commissioner Dusenbury responded that the State has a CAPS Program where they can attend for free and the State reimburses us. We also have a sliding scale where we analyze the incomes. He also has concerns with the impact of the fees. Councilmember Willis asked what is the drop off rate of registrations? Commissioner Dusenbury responded that we have seen a drop off of Afterschool Programs, but none for participation. We are making sure that we are competitive. Councilmember Willis stated that you have to have recreation. He wants to know where we were last year and this year. Commissioner Dusenbury responded that he would provide the numbers. We have more participation this year than last year. Councilmember Willis asked do we have data indicating if they were returners or new. Commissioner Dusenbury responded that he would provide the information.

Mr. Gary Donaldson: Director of the Office of Revenue addressed the Committee by stating that he provided a template that takes us through October. We have \$49 million dollars in the Public Utility Franchise and anticipated \$185 million dollars for 2011 Property Taxes. We have had a slow recovery. We have collected \$255 million dollars thus far and we are in good shape. Chairperson Adrean asked if he is seeing an upward trend. Mr. Donaldson responded that we anticipated \$100 million dollars and there are no over collections. We are giving some discounts and making up in other areas. Chairperson Adrean asked if the State was to recalculate the City's portion. Mr. Donaldson responded that it will take place in 2011. At the end of 2011, we would expect to see a larger share. Councilmember Wan asked about the Variance on the Alcohol. Mr. Donaldson responded that he is concerned about that. We anticipated \$16.4 million dollars. He is discounting it by \$2 million dollars and the rest is made up in other areas. Councilmember Wan asked about the last item on the report being larger than anticipated. Mr. Donaldson responded that it is a timing issue. Councilmember Wan asked about Fines and Forfeits. Mr. Donaldson responded that he would provide the information. Councilmember Moore asked about the current year's Property Taxes. Mr. Donaldson responded that it is on a monthly basis. Councilmember Moore stated that Property Taxes were due October 15th. When do we get our money? Mr. Donaldson responded, October 15th. We anticipated \$185 million dollars and we have received 94%. Historically, we have been at 97%. We are expecting more money. Chairperson Adrean stated that last year our collection through October was only \$21 million dollars. We are at \$161 million dollars and that is a much higher pace. We have budgeted conservatively. Councilmember Moore asked about the LOST. Is it what is projected at this time? Mr. Donaldson responded, yes. Councilmember

Moore stated that we are over anticipating Fines and Forfeitures through October. Will we meet the number anticipated for the year of \$20 million dollars? Mr. Donaldson responded that we should be on target with that because \$20 million dollars is a safe number. Councilmember Moore asked about the Alcohol Tax. Mr. Donaldson responded that we anticipated \$16.4 million dollars. Some areas are up and some are down. Councilmember Moore asked about the building permits. Mr. Donaldson responded that we said at the Departmental Budget Hearings that we would watch the building permits. Councilmember Willis asked how do we calculate the Alcohol Tax and if it is done adequately. What is the determination? Mr. Donaldson responded that we are doing more audits of the businesses with alcohol licenses. Councilmember Willis asked what are you auditing? What is being shipped in? The information he has received says that we aren't. You should go out and look at invoices and know what is shipped out from the Atlanta Beverage Company and if it should be sold by the glass. Unless we are doing that, it is not a real audit. Mr. Donaldson responded that point is well taken. The auditors are focused more on the Business Taxes. He would put together a status report. Councilmember Willis asked what does our audit detail. Right now it is on an honor system. Mr. Donaldson responded that we have a listing of the documents we request. Councilmember Willis stated that it does not matter what he reports. We should know the gap and range. Mr. Donaldson responded that he would get the reports from the third party. Chairperson Adrean asked if we could put it on the **Agenda as a Follow-Up Discussion (Audits regarding Alcohol Tax)**. Councilmember Moore stated that they are trying to justify whether they can keep their licenses. If there are people out there that are not paying, are they having hardships? We have raised it to the top of the limit. If we start losing some of our licensees, we will lose revenue. Chairperson Adrean asked if we could discuss the Five-Year Plan and the Second Quarter Review at the next meeting. Deputy CFO Jaskulak responded that the Second Quarter Review will be available at the mid-January meeting.

TO APPOINT MS. CECILY J. MCLEOD TO SERVE AS CONTRACT COMPLIANCE HEARING OFFICER

10-C-2138 (1) A Communication by Mayor Kasim Reed appointing **Ms. Cecily J. McLeod** to serve as Contract Compliance Hearing Officer on behalf of the City of Atlanta. This appointment is for a term of (2) two years, scheduled to begin on the date of Council confirmation.

HELD

CONSENT AGENDA

TO REIMBURSE VIRGINIA ONE DEVELOPMENT, LLC

10-O-2151 (1) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to reimburse Virginia One Development, LLC for costs incurred by it to implement noise insulation measures at the Hartsfield Land Apartment Complex in an amount not to exceed \$1,500,000 and waiving the application of an conflicting Ordinances in the City's Procurement and Real Estate Code. All services shall be charged to and paid from PTAE0 (\$1,200,000) 18100033 (AIP 01) 153 (Task) 550231297 (DOA R N E AZ67) 5212001 (Consulting/Professional Serv) and FDOA 5502 (Airport Renewal and Extension Fund) 180201 (EOA Aviation Capital Planning & Development) 5212001 (Consulting/Professional Serv) 7563000 (Airport) 100033 (AIP 01) 31297 (DOA R N E AZ67) and PTAE0 (\$300,000) 18210816 (Noise Insulation Program) 101 (Task) 550591336 (DOA PFC Revenue 96AA) 5212001 (Consulting/Professional Serv) and FDOA 5505 (Airport Passenger Facility Charge Fund) 180201 (DOA Aviation Capital Planning & Development) 5212001 (Consulting/Professional Serv) 7563000

(Airport) 210816 (Noise Insulation Program) 91336 (DOA PFC Revenue 96AA); and for other purposes.

FAVORABLE ON FIRST READ

TO REMIT TO CRYOTECH PAYMENT

- 10-O-2152 (2) An Ordinance by Finance/Executive Committee authorizing the City to remit to Cryotech payment in the amount of \$216,789.00 for goods/services rendered for E-36 Liquid Runway Deicer & NAAC Airport Deicer at Hartsfield-Jackson Atlanta International Airport and waiving the applicable of the City's Procurement and Real Estate Code to the transaction; all services performed will be charged to and paid from FDOA 5501 (Airport Revenue Fund) 5311001 (Supplies, Consumable) 180302 (Maintenance Airfield); and for other purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO AUTHORIZE THE PURCHASE OF PERMANENT AND TEMPORARY CONSTRUCTION EASEMENTS

- 10-O-2077 (1) An Ordinance by Finance/Executive Committee authorizing the purchase of permanent and temporary construction easements and the necessary rights-of-way from various property owners for the completion of the Edgewood Avenue Project, and to authorize the Mayor, or his designee, to negotiate with affected property owners and to use all means necessary to acquire necessary property interests up to an including condemnation proceedings; to authorize the city attorney or her designee, to institute condemnation proceedings pursuant to the declaration of taking method authorized by O.C.G.A section 32-3-4; to authorize the City Attorney to use the services of outside counsel, where necessary to handle condemnation proceedings; and for other purposes.

FAVORABLE

Mr. Richard Mendoza: of the Department of Public Works addressed the Committee by stating that the construction starts in 2012. Councilmember Martin offered a motion to **Approve, 5 Yeas**. Chairperson Adrean asked if it is with the Beltline and Street Cars. Mr. Mendoza responded that we would be in coordination with that design. We do have maps available. Chairperson Adrean asked if the \$5 million dollars is for the right-of-way and not the design. Mr. Mendoza responded, yes.

TO AMEND THE 2010 (INTERGOVERNMENTAL GRANT FUND) BUDGET

- 10-O-2078 (2) A **Substitute** Ordinance by Finance/Executive Committee amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations Transportation Improvement Funds in the amount of One Million Thirty-Six Thousand Dollars (\$1,036,000.00) for the purpose of funding construction expenses for the Harris Homes-Lowery Boulevard Pedestrian Improvement Project, on behalf of the Department of Public Works; and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA, 12/15/10)**

FAVORABLE ON SUBSTITUTE

Chairperson Adrean stated that we have a Substitute to correct the FDOA. Councilmember Martin offered a motion to **Approve on Substitute, 5 Yeas.**

TO CORRECT ORDINANCE 10-O-1555

10-O-2079 (3) An Ordinance by Finance/Executive Committee to correct Ordinance 10-O-1555, adopted by the Atlanta City Council on September 20, 2010, and approved pursuant to section 2-403 of the Charter of the City of Atlanta on September 29, 2010 to correct the Fiscal Year and Department; and for other purposes.

FAVORABLE

Councilmember Wan offered a motion to **Approve, 5 Yeas.**

TO AMEND THE FY 2011 AIRPORT RENEWAL AND EXTENSION BUDGET

10-O-2080 (4) An Ordinance authorizing the Chief Financial Officer to amend the FY 2011 Airport Renewal and Extension Budget, Department of Aviation, by Adding to Anticipations and Appropriations Grant Funds in the total amount of \$1,022,305 from the Federal Aviation Administration for the Project "Maynard H. Jackson International Terminal (MHJIT) Ramp 9 Northeast Apron & Taxi Lanes; and for other purposes.

FAVORABLE

Mr. Miller: of the Department of Aviation addressed the Committee by stating that there is no match. Councilmember Martin offered a motion to **Approve, 5 Yeas.**

TO AMEND THE FY 2011 AIRPORT RENEWAL AND EXTENSION BUDGET

10-O-2081 (5) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the FY 2011 Airport Renewal and Extension Budget, Department of Aviation, by adding to Anticipations and Appropriations Grant Funds in the total amount of \$4,359,328 from the Federal Aviation Administration for project number 3-13-0008-097-2010 "Rehabilitate Taxiway L&M (Westside)-Construction"; and for other purposes.

FAVORABLE

Mr. Miller stated that the matching percent was 25%. Councilmember Martin offered a motion to **Approve, 5 Yeas.**

TO AMEND THE FY 2011 BUDGET

10-O-2082 (6) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the FY 2011 Budget by adding to Anticipations and Appropriations Grant Funds in the total amount of \$10,000,000 from the Federal Aviation Administration, and Transferring to and from appropriations in the amount of \$2,500,000 for the City's share in grant agreement 3-13-0008-096-2010, for the project "Noise Mitigation measures for residences within 65-69 DNL and noise mitigation measures for public buildings"; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 5 Yeas.**

TO WAIVE THE PAYMENT PROVISIONS

10-O-2130 (7) An Ordinance by Finance/Executive Committee waiving the payment provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provision of Accela Automation Maintenance and Support Services by Accela, Inc. for the period beginning May 1, 2010 through January 31, 2011 for an amount not to exceed \$123,168.60; and to authorize payment for the remainder of the Contract year from February 1, 2011 through April 30, 2011 in an amount not to exceed \$44,056.20 for a total amount not to exceed \$164,224.80 to be charged to and paid from the FDOA Numbers listed; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 5 Yeas**. Chairperson Adrean asked if this is for the Special Called meeting.

Ms. Katrina Taylor-Parks: Mayor's Office Deputy Chief of Staff addressed the Committee by stating that this is being added and we have a Draft of the Special Called Agenda.

TO AMEND THE 2010 (INTERGOVERNMENTAL GRANT FUND) BUDGET

10-O-2131 (8) A **Substitute** Ordinance by Finance/Executive Committee amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Parks, Recreation and Cultural Affairs, by adding to anticipations and appropriations in the amount of \$23,611.00 and matching funds in the amount of \$2,624.00 for a Grant Award from the Governor's Office for Children and Families to fund the Atlanta Gun Violence Prevention Program; to repeal Ordinance 10-O-1983; and for other purposes. **(Finance/Executive Committee Substitute changes the FDOA, 12/15/10)**

FAVORABLE ON SUBSTITUTE

Chairperson Adrean stated that we have a Substitute to change the FDOA. Councilmember Winslow stated that we thought that we were going to get \$39,000, but we will get \$23,000. The funds have to be spent by December 31st of this year for equipment for all Recreational Centers. Councilmember Martin offered a motion to **Approve on Substitute, 5 Yeas**.

Brother Mohammad: addressed the Committee by stating that he is from the Ben Hill Community. He has concerns about the Centers it will be given to. He found out that 28 are opened and there are three more to go. He has heard different numbers from various people. He has grandchildren and he doesn't like to lie to them. He wants the correct number today. Mr. Aman responded that two Centers still have tremendous damage before they can be opened. Brother Mohammad stated that he asked Commissioner Dusenbury and he said it is 28. Chairperson Adrean asked if 28 are opened. Brother Mohammad responded that he wants actual facts. Councilmember Winslow stated that the grant requirement is for at-risk neighborhoods. Commissioner Dusenbury stated that 28 Centers are open and the five that are not open will be opened by January 3rd. C.A. Scott, Grant, Oakland, etc. are not open yet.

TO EXECUTE A RENEWAL AGREEMENT FOR FC-600400-7809

10-R-2153 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to execute a Renewal Agreement for FC-600400-7809, Network News Broadcast System Concession with AC Holdings,

Inc., a Georgia Corporation, as the owner and operator of CNN Airport Network; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 5 Yeas.**

TO ENTER INTO A THIRTY-SIX (36) MONTH FINANCING AGREE-MENT

10-R-2154 (2) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a thirty-six (36) month Financing Agreement on behalf of the Department of Information Technology with CSI Leasing Incorporated, for the purchase of desktop and notebook computers from CDW Government, Incorporated in an amount not to exceed one million, two hundred eleven thousand, nine hundred fifty-two dollars and no cents (\$1,211,952.00); all payments shall be charged to and paid from Fund, Department, Account and Organization 1001 (General Fund) 050212 (DIT Desktop Support) 5223202 (Operating Lease/Rental-Equipment) 1535000 (Data Processing/Management Information Systems); and for other purposes.

FAVORABLE ON SUBSTITUTE

Chairperson Adrean stated that we have a Substitute. Councilmember Shook offered a motion to **Approve on Substitute, 5 Yeas.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

10-R-2155 (3) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1608 et. seq. of the City of Atlanta Code of Ordinances, utilizing GSA Contract GS-35F-0195J with CDW Government LLC for a lease of Lenovo Desktop and Notebook Computers for three years for Phase Two (2) of the Replacement of Obsolete Computers with the most current and reliable hardware technology on behalf of the Department of Information Technology, in an amount not to exceed one million, two hundred eleven thousand, nine hundred fifty-two dollars and no cents (\$1,211,952.00); all costs to be financed through CSI Leasing, Inc., subject to separate Council authorizing; and for other purposes. **(Finance/Executive Committee Substitute adds the Atlanta Police Department in the Caption, 12/15/10)**

FAVORABLE ON SUBSTITUTE

Chairperson Adrean stated that we have a Substitute. One is for the financing and the other one is for the purchase. Councilmember Martin offered a motion to **Approve on Substitute, 5 Yeas.**

Mr. Dan Smith: Chief of the Department of Information Technology addressed the Committee by stating that this is a PC Refresher. The last time it was done was in 2007 and we completed 900. We refreshed 523 PCs in the Departments of Procurement, Human Resources, Law, Mayor's Office, Finance and etc. We have currently refreshed 7 Departments. All come with low jack technology. The current request is for 900 and it will go to the Police Department. Out of 5,000 we did about 1,400 that are four years or older. The best option is to lease them. We need to continue to upgrade. In 2014, Microsoft will not support Windows anymore and we will have to go with another software. It was determined by how many people use the PCs and which Department

was in the worse shape. On the lease option it is .9% and that financing is tremendously low. Councilmember Moore asked if we can come up with a comprehensive way to pay for the computers. They need to be budgeted for. The Departments need to be upfront about it. Mr. Smith responded that he agrees. In the audit we put together a 3-year Strategic Plan. It is not only the PCs. Councilmember Moore asked if you are discussing the way to pay for it. Councilmember Wan asked what is the Substitute? Mr. Smith responded to add the Atlanta Police Department in the Caption. Chairperson Adrean asked if it was anticipated. Mr. Smith responded, yes. There are additional funds available. Chairperson Adrean stated that there was to be a White Paper for DIT needs. She then asked if in the appropriate line item we could add the computer budgeting. Deputy CFO Jaskulak responded that we will add it in. Councilmember Moore asked about the Financial Stabilization Plan to be added in the Information Technology line.

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

10-R-2156 (4) A Resolution by Finance/Executive Committee authorizing the Mayor, or his Designee, to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing the United States General Services Administration Contract Number GS-25F-0030M with Konica Minolta Business Solutions USA Inc., for the lease and maintenance of two (2) Kodak Digimaster X125 Digital Production Systems for a period not to exceed thirty-six (36) months on behalf of the Department of Information Technology to lease said Digital Production Systems in an amount not to exceed ten thousand, five hundred three dollars and no cents (\$10,503.00) per month for a total lease cost of three hundred seventy-eight thousand, one hundred eight dollars and no cents (\$378,108.00) to be charged to and paid from Fund, Department, Organization and Account Numbers 1001 (General Fund) 050102 (IT Administration) 5223202 (Operating Lease/Rental Equipment) 1535000 (Data Processing/Information Systems).

FAVORABLE

Councilmember Martin offered a motion to **Approve, 5 Yeas**. Mr. Smith stated that the Chief has placed a Moratorium on copiers. The printer downstairs is 11 years old. It prints our paychecks and W-2 forms. We also have one that prints business licenses for the City.

TO AMEND ARTICLE VII DIVISION II OF CHAPTER II OF THE CODE OF ORDINANCES

10-O-0774 (1) An Ordinance by Councilmembers H. Lamar Willis and Alex Wan to amend Article VII Division II of Chapter II of the Code of Ordinances of the City of Atlanta so as to provide that it shall be unlawful for any City Officer or Employee to knowingly and willfully withhold information, make false or misleading statements or to give untrue testimony before any of its standing Committees; to provide that any Officer or Employee who is found to have violated this Provision shall be dismissed from the employ of the City; and for other purposes. **(Held, 4/28/10)**

HELD

TO AMEND THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA CHAPTER 114 (PERSONNEL)

10-O-0788 (2) An Ordinance by Councilmembers Ivory Lee Young, Jr. and Joyce Sheperd to amend the Code of Ordinances, City of Atlanta,

Georgia Chapter 114 (Personnel), Article II (Compensation, Payroll Deductions and Charitable Contributions) and Division 1 (Generally), Section 114-28 (Deduction of Labor Organizations Dues from Salaries). **(Held, 4/28/10)**

HELD

TO AMEND CHAPTER 114, ARTICLE IV, DIVISION 12, SECTION 114-379

- 10-O-0874 (3) An Ordinance by Finance/Executive Committee amending Chapter 114, Article IV, Division 12, Section 114-379 of the City of Atlanta Code of Ordinances entitled "Layoff or Reduction In Force" so as to provide for the use of the Veterans Preference authorized by Section 114-207 during the calculation of retention points; and for other purposes. **(Held, 6/2/10)**

HELD

TO AMEND SECTION 6-637 (C) AND 6-637 (D) OF THE 1978 PENSION ACT

- 10-O-0906 (4) An Ordinance by Finance/Executive Committee to amend Section 6-637 (c) and 6-637 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Firefighters Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

HELD

TO AMEND SECTION 6-222 (C) AND 6-222 (D) OF THE 1978 PENSION ACT

- 10-O-0908 (5) An Ordinance by Finance/Executive Committee to amend Section 6-222 (c) and 6-222 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Police Officers Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

HELD

TO AMEND SECTION 6-37 (C) AND 6-37 (D) OF THE 1978 PENSION ACT

- 10-O-0910 (6) An Ordinance by Finance/Executive Committee to amend Section 6-37 (c) and 6-37 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide Members of the General Employees Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent (100%) CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

HELD

TO ENTER INTO AN INMATE AGREEMENT WITH THE SOUTH FULTON MUNICIPAL REGIONAL JAIL AUTHORITY

- 10-R-1153 (7) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor of the City of Atlanta to enter into an Inmate Agreement with the South Fulton Municipal Regional Jail Authority (The "Authority") for the purpose of Housing Persons charged with or sentenced for a violation of the City of Atlanta Code of Ordinances in the facility operated by the Authority; and for other purposes. **(Referred back by Full Council, 7/6/10); (Held, 7/14/10)**

FILE

Councilmember Martin offered a motion to **File, 5 Yeas.**

TO EXECUTE RENEWAL AGREEMENT NO. 1 WITH MSB GOVERNMENT SERVICES, FOR FC-4678

- 10-R-1663 (8) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement No. 1 with MSB Government Services, for FC-4678, Financial Collections, on behalf of the Department of Finance, at a compensation rate of 19.8 of the principal amount collected to be charged to and paid from Fund, Department Organization and Account Number 7101 (Agency Fund) 190101 (JDA Municipal Courts Operations) 5212001 (Consulting/Professional Services) 2650000 (Municipal Courts) 202361 (Collection Fee-Accts Recble) 91468 (Agency Fund 9999); 7101 (Agency Fund) 170101 (Commissioner of Watershed Mgt) 5212001 (Consulting/Professional Services); 1320000 (Chief Executive) 202361 (Collection Fee) 91468 (Agency Fund 9999); 7101 (Agency Fund) 190191 (JDA Municipal Court Operations) 5212001 (Consulting/Professional Services) 2650000 (Municipal Courts) 202361 (Collection Fee-Accts Recble) 91468 (Agency Fund 9999), all funds collected will be deposited to Fund, Department Organization and Account Number 1001 (General Fund) 000002 (General Fund Org) 3441102 (Sanitary Service); 1001 (General Fund) 000002 (General Fund Org) 3211002 (General Bus. Licenses); 5051 (Water & Wastewater Revenue Fund) 000002 (General Fund Org) 3442101 (Water Service) 5051 (Water & Wastewater Revenue Fund) 000002 (General Revenue Org) 3442551 (Sewer Services); 505 (Water & Wastewater Revenue Fund) 000002 (General Revenue Org) 3442101 (Water Service) 1001 (General Fund); 000002 (General Revenue Org); 3511717 (Traffic & Parking Fines); and for other purposes. **(Held, 9/15/10)**

HELD

TO CREATE A PARKING PASS PROGRAM

- 10-O-1733 (9) An Ordinance by Councilmembers Michael Julian Bond, Joyce Sheperd, Aaron Watson, Keisha Lance Bottoms, H. L. Willis, Ivory Lee Young, Jr., C.T. Martin, and Yolanda Adrean authorizing the Mayor or his designee to create a Parking Pass Program for all duly appointed members of City Boards and Commissions; and for other purposes. **(Held, 9/29/10)**

HELD

TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA

- 10-O-1739 (10) An Ordinance by Councilmember Natalyn Mosby Archibong to amend the Charter of the City of Atlanta, Georgia, 1996 Ga Laws P. 4469 et seq. adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq. as amended, by amending Part 1 (Charter and Related Laws), Subpart A, (Charter), Article III (Executive), Chapter 3 Entitled (City Departments), Section 3-305 of the City of Atlanta's Code of Ordinances by adding a new Sub-Paragraph (d); and for other purposes. **(2nd Reading, 1st Adoption, 9/29/10); (3rd Reading, Final Adoption, Substituted as Amended and Held, 10/13/10 by Committee for additional information)**

HELD

TO CONCERN THE FUTURE OF REGIONAL TRANSIT UNDER THE 2010 TRANSPORTATION INVESTMENT ACT

- 10-R-1869 (11) A Resolution by Atlanta City Council of the City of Atlanta, Georgia concerning the future of Regional Transit under the 2010 Transportation Investment Act. **(Held, 10/27/10)**

HELD

TO SUBMIT THE PERFORMANCE AUDIT REPORT

- 10-C-1998 (12) A Communication by City Auditor Leslie Ward submitting the Performance Audit Report regarding the implementation of Audit recommendations for the Departments of Finance and Watershed Management. **(Held, 12/1/10)**

FILE

Ms. Leslie Ward: Internal Auditor addressed the Committee by stating that we were to be doing previous recommendations. The report was the second of follow-up reports. Early in 2010, we discussed the first follow-up report for several Departments. We are now looking at catch up pieces. We will follow up on a much regular basis. We will do a public report annually. We have done numerous audits for the Department of Watershed Management. In 2009, Council requested a Performance Review and had 80 recommendations. That was the KPMG audit. In that report we looked at 66 recommendations and they have completed half of them and partially completed 17. The remaining 16 were primarily in operations. Some were regarding the meters, planning and budgeting, monitoring and reporting, revenue recovery, compliance, etc. We have stated that the compliance is the foundation. It is necessary, but not sufficient. It is the first thing to take care of and there were three of them. They fell in the Finance Department on pages (#40 and #41) that deal with Payroll issues. We will follow-up on their status. They were concerned by State and Federal Law regarding unclaimed payroll taxes. Chairperson Adrean asked if the new CFO has been briefed on these. Ms. Ward responded that we first communicated in October on three different occasions. She is sure they are working on them. Deputy CFO Jaskulak added that we do have the entire report and we are making inventory of all procedures. Compliance is a high priority as well as the other procedures and policies. Ms. Ward stated that we are in communication. The other two have to deal with payroll and taxable fringe benefits and City vehicles. She is looking forward to working together. We also have concerns with cell phone usage. Chairperson Adrean asked if there are new rules about fringe benefits. Deputy CFO Jaskulak responded that we will look at the current tax. Councilmember Martin offered a motion to **File, 5 Yeas.**

TO SUBMIT THE PERFORMANCE AUDIT REPORT

10-C-1999 (13) A Communication by City Auditor Leslie Ward submitting the Performance Audit Report regarding the Information Technology General Control. **(Held, 12/1/10)**

FILE

Ms. Ward stated that we did general controls in the Department of Information Technology (DIT). We have done a couple of audits for applications. We found some areas of concerns. We provided security controls to the systems and changes in the applications. The staff worked closely with DIT. We focused on the operating systems and Kronos. We tested a variety of controls. We found that 60% had sufficient controls in place. We found some remaining risks. The most notable was access to the systems in regards to removing access to former employees. The recommendations start on page #31. We made 8 recommendations and DIT agreed with all of them and stated that some of them were in place. We made recommendations to strengthen security. They included testing back-up and restoring data as well as having control on scheduling sequence jobs, periodically review list of employees with access and recommended strengthening Oracle and Outlook systems. We have not had that in Oracle. We looked at the adequacy of staffing in DIT. We looked at their transitional plans. We agreed that they are understaffed in some areas and adequate in other areas. We included contractors. We recommended that they update their Strategic Plan. We recommended they establish Service Agreements. They are currently working on those things. Over the years we have recommended the City have a Disaster Recovery Plan and Continuity Plan. We made recommendations for improving system changes. Finally, DIT agreed to work with other Departments to achieve compliance. We also recommended them to work with the City Attorney for automated data. We recommend reconciliation of the payroll system. We found problems in the first run in Oracle. Much of it has been corrected. We retested and found a small number of errors. Councilmember Moore asked for an explanation.

Mr. Damien Berahzer: of the Internal Auditor's Office addressed the Committee by stating that we don't have controls in the Kronos system to prevent errors. Most of it is corrected by the time keeper. We have technical controls. From a budget stand point we can't make those changes. Councilmember Moore asked why did we go from one system to another. Mr. Berahzer responded that we don't have time keeping in Oracle. Councilmember Moore asked if it has one. Mr. Berahzer responded that Oracle does have it. DIT is looking to upgrade Kronos. Councilmember Moore asked if the concern is what people are putting in. Mr. Berahzer responded, yes there are some errors. During the audit, we saw overpayments and underpayments. One was for as much as \$200. Ms. Ward added that the last issue is employees that left the City still having access. We recommended that DIT work with the Department of Human Resources (HR) so the notification occurs. Councilmember Moore asked if it is just notification. Ms. Ward responded that she is not sure if there is a procedure. Councilmember Moore stated that HR owes us some rigorous policies. Ms. Ward responded that we followed up on previous recommendations. We found that DIT is working on all 16 recommendations. Councilmember Martin asked when was the last time an audit was done on DIT? Ms. Ward responded this is the first. We did work on systems such as Oracle. Councilmember Martin asked about the additional 49 staff members. There are only eight areas that are not glaring. Overall the Department is functioning decently. Ms. Ward stated 60% of the controls were functioning. It needs a lot of room for improvement. Councilmember Martin asked if there is any history of other DIT books. How did you set out the indicators on what to look for? Ms. Ward responded that we compared practices to an industry standard. We did not compare percentages of controls in place. The staffing numbers were on the industry benchmarks. We established a range of staff for different levels. Councilmember Martin asked what was the time table? Ms. Ward responded that the best way to describe the period that we conducted is by the analysis located on page #7 through May. We had some delays during the summer. We took some time to work with DIT on the responses. Councilmember Martin asked about the additional 85 staff in the summer. Ms. Ward

responded that the reason for the gap is the way we handled contractors and consultants. Councilmember Martin stated that he found the comment interesting. Ms. Ward responded that those are statements that are facts. We verified the work and went back to benchmark. Councilmember Martin asked if it was staffing or supervisory. Ms. Ward responded that it was a mixture. Councilmember Martin asked if the professional judgment was on general staff or supervisors. At what level was the position? Ms. Ward responded that it was supervisory staff that was the benchmark study. Councilmember Martin asked for the timeframe for the stop and start of when Dan Smith took over. Did Mr. Smith ask for the 85 staff members? Mr. Smith responded that he was asked to do a transition plan. He wanted to explain the specific staffing issues. We went straight down the list. For every 125 PCs you need a Support Technician. Some of the metrics say that a Project Manager can handle specific projects. Oracle has multiple Project Managers. He believes that DIT need 50 or more staff members. There should be ongoing audits for IT because it is so fast moving and complicated. Councilmember Martin offered a motion to **File, 5 Yeas.**

TO EXECUTE AN AGREEMENT WITH _____ FOR FC-5187

10-R-2133 (14) A Resolution by Finance/Executive Committee authorizing the Mayor to execute an Agreement with _____ for FC-5187, Consulting and Lobbying at the State Government Level, in an amount not to exceed \$_____; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.

HELD

Ms. Taylor-Parks stated that we want to continue Holding this paper and bring if forward in January.

ITEMS NOT ON AGENDA

TO EXECUTE AN AGREEMENT WITH ITT CORPORATION

10-R-2240 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to execute an Agreement with ITT Corporation for a Noise and Operations Monitoring system, Sole Source Provider under Section 2-1191, at Hartsfield-Jackson Atlanta International Airport in an amount not to exceed \$52,500.00 for an initial term of five months; all services will be charged to and paid from FDOA 5501 (Airport Revenue Fund) 180209 (Environmental) 5212001 (Consulting/Professional Services) 7563000 (Airport); and for other purposes.

FAVORABLE

Mr. Miller stated that this is for the Noise Abatement at the Airport. It is not to exceed \$52,500 for six months. Councilmember Martin offered a motion to **Approve, 5 Yeas.**

TO EXERCISE THE PURCHASING OPTION OF LEASE NUMBER 38508

10-R-2241 (2) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to exercise the Purchasing Option of Lease Number 38508 with Dell Marketing, L.P. for Desktop and Laptop Computers on behalf of the Department of Information Technology in an amount not to exceed one hundred thirty-two thousand, four hundred fifty-seven dollars and no cents (\$132,457.00) all contracted supplies shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050213 (IT User Support) 5223202

(Operating Lease/Rental-Equipment) 1535000 (Data Processing/Management Information Systems).

FAVORABLE

Mr. Smith stated that this is for 757 desktops and laptops. Dell Marketing confirmed to us that if we completed our orders this year, we would receive a reduction in cost. It will save the City \$230,000. As you refresh, you take the old computers back. It completes the refreshment. These are computers we were leasing and the lease has expired. We are returning 184 computers. Councilmember Martin offered a motion to **Approve, 5 Yeas.**

Chairperson Adrean gave the public an opportunity to speak:

Mr. Ronald Shakar: addressed the Committee by stating that he did not see anything where Council did anything wrong regarding asking questions about the Street Car Project. The paper should represent what the citizens want. He was disturbed about the content of the paper that the leader of the Southeastern U.S. would recommend that a class of taxpayers be exempted from the tax roll. He is tired of the schools being berated. It did not look good because Council wanted to have dialogue of a paper. He wants to bring up the financing and impact of the Street Car Project. Of all of the income the Department of Transportation receives only 20% goes toward maintenance. The Street Car will go down Auburn Avenue down Jackson Street back to Auburn Avenue. The route is a circle. This process did not have enough respect for the process. There were citizens on Auburn Avenue that were consulted. 90% of the people heard of a meeting three days ago and most spoke of the impact of breaking down the streets. Councilmember Moore asked if anyone else was concerned about it. He is concerned about the Parks. A paper should not be motioned before it is read in case someone wants to speak on it.

Brother Mohammad: addressed the Committee by stating that he has concerns with the Philip's Arena Bonds. The Attorney stated that the funds are to be used for the Recreational Centers. If we are going to spend money, it should be for the better. These things should be in the improvised neighborhoods. We have inequity in service.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 3:30 p.m.

Respectfully submitted,

Stefan Jaskulak, Deputy CFO
Secretary

Charlene Parker
Recording Secretary

"The Department of Finance... because customer service is important to us."